

REMARKS

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 USC §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 2 and 3 and amended claims 1 and 4-6 are in this application.

At paragraph 1 of the outstanding Office Action of December 5, 2003, the Examiner objected to the drawings. Specifically, the Examiner objected to Fig. 1A because the labels for reference characters "59" and "60" need to be switched. Further, the Examiner objected to Fig. 1B because the labels for reference characters "28" and "30" need to be switched. The drawings have been corrected and attached at the end of this Amendment as Replacement Sheets. Applicant therefore respectfully requests that the objection to the drawings be withdrawn.

At paragraph 2 of the outstanding Office Action of December 5, 2003, the Examiner objected to the specification because of several informalities. All the informalities pointed out by the Examiner have been corrected herein. Applicant therefore respectfully requests that the objection to the specification be withdrawn.

At paragraph 4 of the outstanding Office Action of December 5, 2003, the Examiner rejected claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Takahashi et al. (U.S. Patent No. 6,337,928). Applicant respectfully traverses the rejection.

Amended independent claim 1, recites in part, “A camera apparatus incorporating a communicating device...comprising...**notifying means for notifying said user if a different communication line would allow the video signal to be transmissible if it is determined that the video signal is not transmissible over the designated communication line...**”

(Underlining and Bold added for emphasis.)

It is respectfully submitted that Takahashi does not teach the above-recited feature of amended independent claim 1. Takahashi teaches an image transmission apparatus for inputting image data, detecting the motion of the image data, setting a transmission condition and then processing the image data in accordance with the set transmission condition (column 1, lines 48-55). Takahashi also determines whether or not the transmission data is within a certain transmission capacity (column 8, lines 66-67). However, when the transmission data exceeds the transmission capacity, then the transmission data is suppressed within the transmission capacity by modifying the quantization step to reduce the amount of data that is to be transmitted (column 9, lines 1-4). Indeed, neither the determining step nor the quantization step notifies the image transmission apparatus that a partial modification to the setting means (selecting a different transmission medium) could result in a more effective transmission, as does amended independent claim 1. Takahashi merely reformats the existing data to make such data compatible with a single communication line, whereas the present invention notifies a user when a different communication line would allow for transmission of the initial video signal. As a result, the initial video signal is not modified to “fit” a specific communication line. For example, in the

present invention, when the microcomputer 27 determines that the desired signal can be more effectively transmitted with a partial change of a transmission condition to a different transmission medium, then the microcomputer prompts the user for a change of the transmission condition. Support for this feature can be found at page 13, lines 12-16 of the present specification. Therefore amended independent claim 1 is believed to be distinguishable from Takahashi.

For reasons similar to those described above with regard to amended independent claim 1, amended independent claim 4 is also believed to be distinguishable from Takahashi.

Further, claims 2, 3, 5 and 6 depend from one of amended independent claims 1 and 4 and, due to such dependency, are also believed to be distinguishable from Takahashi for at least the reasons previously described. Therefore, claims 2, 3, 5 and 6 are believed to be distinguishable from Takahashi.

Applicant therefore respectfully requests the rejection of claims 1-6 under 35 U.S.C. §102(e) be withdrawn.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

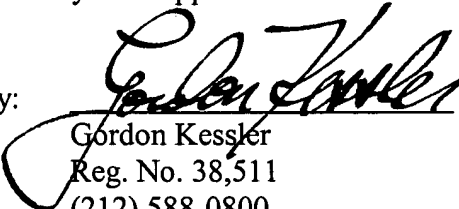
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Respectfully submitted,

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